

Memorandum **TAB 85**

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: August 15-16, 2018

Reference No.: 2.1c.(10) – ***REPLACEMENT ITEM***
Action Item

From: STEVEN KECK
Chief Financial Officer

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Transportation

Subject: **LETTER OF NO PREJUDICE - TRANSIT AND INTERCITY RAIL CAPITAL PROGRAM
RESOLUTION LONP TIRCP-1819-01**

ISSUE:

Should the California Transportation Commission (Commission) approve a Letter of No Prejudice (LONP) for the Los Angeles Region Transit System Integration and Modernization Program of Projects - Gold Line Foothill Extension to Montclair Component available under the authority of Senate Bill (SB) 9?

RECOMMENDATION:

The California Department of Transportation (Department) recommends the Commission consider this LONP, available under SB 9, for the Los Angeles Region Transit System Integration and Modernization Program of Projects, Gold Line Foothill Extension to Montclair Component, in Los Angeles and San Bernardino County.

Due to the majority of Transit and Intercity Rail Capital Program (TIRCP) funds becoming available through future auction and Senate Bill 1 proceeds, the Department recommends the Los Angeles County Metropolitan Transportation Authority (LACMTA) be authorized to substitute \$290,200,000 of programmed TIRCP funds with other funds to enable the project to proceed on schedule. If approved by the Commission, LACMTA plans to expend its own Measure M and R local funds for any component of the transportation project, and seek allocation and reimbursement from the TIRCP in the future.

The proposed repayment allocation schedule is as follows:

FY 19-20	FY 20-21	FY 21-22	FY 22-23	FY 23-24
\$41,000,000	\$46,000,000	\$56,000,000	\$56,000,000	\$91,200,000

BACKGROUND:

Government Code Section 14556.33 allows an applicant agency that is either a regional or local entity, to seek approval of an LONP.

RESOLUTION LONP TIRCP-1819-01:

Be it Resolved, with all conditions stipulated still in effect, the California Transportation Commission hereby approves a Letter of No Prejudice (LONP) for the Los Angeles Region Transit System Integration and Modernization Program of Projects, Gold Line Foothill Extension to Montclair Component, programmed in, or otherwise funded by, the Transit and Intercity Rail Capital Program (TIRCP); and

Be it Further Resolved, that the agency understands that they proceed at their own risk, as reimbursement is dependent on future availability of TIRCP funding; and

Be it Further Resolved, that the project component covered by an LONP should be ready to proceed to contract award (or equivalent) once the LONP is approved; and

Be it Further Resolved, that LACMTA commits to expending its own Measure M and R local funds for any component of the transportation project, and seek allocation and reimbursement from the TIRCP in the future; and

Be it Further Resolved, that the agency shall report to the Department following LONP approval on progress in executing agreements and third party contracts needed to execute the work.